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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

18 JUL 2006

Applicants: Bartizal et al.

Serial No. TBD

Filed: July 18, 2006

For: 6,11-3C-BICYCLIC 8A-AZALIDE DERIVATIVES

Art Unit: TBD

Examiner: TBD

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

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APPROVED FOR FILING 13 JUL 2006

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

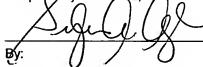
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

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6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
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- ☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
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- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: \_\_\_\_\_  
Attorney For Applicant(s)

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Date: July 18, 2006

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No.	U.S. Patent Document		Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)	
/E.P./		4474768	Bright	10/02/1984
/E.P./		4517359	Kobrehel et al.	05/14/1985
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FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number Kind Code (if known)		
/E.P./			WO 98/56801	Pfizer Products Inc.	12/17/1998
/E.P./			WO 98/56802	Pfizer Products Inc.	12/17/1998
/E.P./			WO 99/00124	Merck & Co. Inc.	01/07/1999
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/E.P./			EP 0007614	Merck & Co. Inc.	02/06/1980
/E.P./			EP 260938	Taisho Pharmaceutical Co. Ltd.	09/18/1986

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>COMPLETE IF KNOWN</b>		
			Application Number	TBD	
			Filing Date	July 18, 2006	
			First Named Inventor	Bartizal et al.	
			Group Art Unit		
			Examiner Name		
Sheet	2	of	3	Attorney Docket Number	21610Y

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<b>INFORMATION DISCLOSURE</b>  <b>STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Application Number</b>	TBD
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				<b>First Named Inventor</b>	Bartizal et al.
				<b>Group Art Unit</b>	
				<b>Examiner Name</b>	
<b>Sheet</b>	3	of	3	<b>Attorney Docket Number</b>	21610Y

NON PATENT LITERATURE DOCUMENTS		
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<b>Examiner Signature</b>	/Eli Peseev/	<b>Date Considered</b>	05/04/2009
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